

REMARKS

Claims 28-37 and 50 were pending in the present application. Independent claim 50 is amended to incorporate the elements of dependent claim 28. Claim 33 is amended to now depend from claim 50. Dependent claims 29-32 and 35 have been amended to provide proper antecedent basis. Dependent claims 52-62 are newly added. Claim 28 is cancelled.

Support for new claims 52-62 can be found in the application as filed. For example, see pages 6 and 8.

Accordingly, claims 29-37, 50, and 52-62 are currently pending and under consideration. Amendment and cancellation of certain claims is not to be construed as a dedication to the public of any of the subject matter of the claims as previously presented. No new matter has been added.

Examiner Interviews

Applicant and applicant's attorney are thankful to the Examiner for the time and effort spent on the in-person interview conducted on March 23, 2007. The participants of this interview included Examiner Shay, Examiner Marmor, Nena Bains (applicant), and Sanjay Bagade (applicant's counsel). During this interview, the parties discussed the Shesterina and Waksman references. The parties reached an agreement that dependent claim 28 is patentable over Shesterina. The parties did not reach an agreement with regard to the rejection of independent claims 33 and 50 in view of Shesterina. Applicant maintains their disagreement with the Shesterina rejections and reserves the right to pursue the subject matter of the claims (prior to the amendment made herein) in a continuing application.

In view of the above agreement, applicant is presenting the subject matter of claim 28 in independent form (see amended claim 50).


Accordingly, in view of the amendments made to the independent claims, applicant believes that all outstanding issues are addressed and that sole independent claim 50 (and dependent claims 29-37 and 52-62) are in condition for allowance.

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejections and pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the appropriate fee and/or petition is not filed herewith and the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with this filing to Deposit Account No. 50-3973 referencing Attorney Docket No. ASTXNA00100. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,



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